

March 9, 2010

MINUTES OF THE CITY COUNCIL MEETING HELD MARCH 9, 2010

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, March 9, 2010, at 6:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Brenda S. Pelham, Mayor
N. Gregory Cuffey, Vice Mayor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
Gerald S. Stokes, Councilor
K. Wayne Walton, Councilor

Edwin C. Daley, City Manager
Thomas E. Lacheney, City Attorney
Ann M. Romano, City Clerk

Mayor Pelham opened the meeting at 6:30 PM. Roll call was taken as follows:

Mayor Pelham	-	present
Vice Mayor Cuffey	-	ABSENT (arrived at 7:15 pm)
Councilor Bailey	-	present
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Stokes	-	present
Councilor Walton	-	present

CLOSED SESSION

Motion was made by Councilor Emerson, and seconded by Councilor Walton, to convene into Closed Session to discuss Legal Matters, Economic Development, Personnel; and, Boards & Commissions, in accordance with Virginia Code Sec. 2.2-3711 (A)(1) (3) and (7). Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes

OPEN SESSION

At 7:35 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Mayor Pelham	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes

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Councilor Stokes	-	yes
Councilor Walton	-	yes

REGULAR MEETING

Mayor Pelham opened the regular meeting at 7:36 PM. Roll call was taken as follows:

Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes

Prayer was offered by Rev. James Clements, Friendship Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

Motion was made by Councilor Emerson, and seconded by Vice Mayor Cuffey, to approve the Consent Agenda: Minutes: City Council Regular Meeting February 9, 2010; and Special Meeting and Work Session February 23, 2010; Pending List; Information for Council Review: District 19 CSB minutes 12/10/09 & 1/28/10; School Board minutes 2/11/10, Revised School Board Calendar; Recreation Commission agenda 2/10/10 & minutes 1/13/10; NWAC minutes 1/28/10; HRHA meeting announcement & agenda 2/8/10, minutes 11/16/09 & new officers: Chair-Linwood Crenshaw & Vice-Chair-Michael Mahaney; Senior Citizen Adv. Comm. Minutes 10/20/09, 11/17/09, 1/19/10, & 2/16/10; ARLS minutes 2/16/10, and Law Library Committee minutes 2/25/10; Personnel Change Report & Financial Report; Public Hearings Announcements: none. Routine Approval of Work Sessions: March 30, 2010 – 6:30 PM; Ordinances on second and final reading: **Ord. No. 2010-02** - repealing Article XI, Tax Abatement for Rehabilitated/Renovated Structures, and enacting Article XI, Tax Abatement for Rehabilitated/Renovated or Replacement Structures, of Chapter 34, taxation, of the Code of the City of Hopewell, Virginia; ~~**Ord. No. 2010-05** - to authorize adjustments to permit fees for building, electrical, plumbing, and mechanical permits to conform to permit fees being charged by surrounding jurisdictions; (erroneously listed as second reading, but no vote has yet been taken on this ordinance)~~ and **No. 2010-06** – Article XXII-G – Zoning Ordinance – Fees for Rezoning, Conditional & Special Use Permits, Site Plan Review, Variances, and Appeals; Law Library Committee minutes 2/25/10; Routine Grant Approval: None; Proclamations/Resolutions/Presentations: (1) City of Hopewell, Employee of the Quarter presentation; and, (2) 2010 Hopewell/Prince George American Red Cross Proclamation. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

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Ordinance No. 2010 – 02

An Ordinance repealing Article XI, Tax Abatement for Rehabilitated/Renovated Structures, and enacting Article XI, Tax Abatement for Rehabilitated/Renovated or Replacement Structures, of Chapter 34, Taxation, of the Code of the City of Hopewell, Virginia.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that Article XI Tax Abatement for Rehabilitated/Renovated Structures, of Chapter 34, Taxation, of the Code of the City of Hopewell, be and hereby is, repealed and that Article XI Tax Abatement for Rehabilitated/Renovated or Replacement Structures, of Chapter 34, Taxation, of the Code of the City of Hopewell be enacted as follows:

BY REPEALING:

**~~ARTICLE XI.
TAX ABATEMENT FOR REHABILITATED/RENOVATED STRUCTURES~~**

~~Sec. 34-176. Partial exemption from real estate taxation for certain rehabilitated/renovated single-family residential structures.~~

~~(a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying single-family residential property rehabilitated/renovated in accordance with the criteria set out in article X, section 6, paragraph (h) of the Constitution of Virginia and section 58.1-3220 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.~~

~~(b) *When deemed rehabilitated/renovated.* For the purposes of this section, single-family residential real estate shall be deemed to be substantially rehabilitated/renovated when such a structure on the real estate, which is no less than twenty-five (25) years old, has been so improved as to increase the base value of the structure by no less than twenty-five (25) percent, but without increasing the total square footage of such structure by more than one hundred (100) percent.~~

~~(c) *Maximum amount of exemption.* The maximum amount of the partial exemption provided for in this section shall be one hundred thousand dollars (\$100,000.00) of value per rehabilitated/renovated single-family residential property.~~

~~(Ord. No. 98-15, 5-26-98; Ord. No. 99-22, 9-14-99)~~

~~Sec. 34-177. Partial exemption from real estate taxation for certain rehabilitated/renovated multi-family residential structures.~~

~~(a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying multi-family residential property rehabilitated/renovated in accordance with the criteria set out in article X, section 6, paragraph (h) of the Constitution of Virginia and section 58.1-3220 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.~~

~~(b) *When deemed rehabilitated/renovated.* For the purposes of this section, multi-family residential real estate shall be deemed substantially rehabilitated/renovated when such a structure on the real estate, which is no less than twenty-five (25) years old, has been improved as to increase the base value of the structure by no less than forty (40) percent, but without increasing the square footage of such structure of more than fifty (50) percent.~~

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~~(c) *Maximum amount of exemption.* The maximum amount of the partial exemption provided for in this section shall be five hundred thousand dollars (\$500,000.00) of value per rehabilitated/renovated multi family residential property.~~

~~(d) *Prohibition against converting single family residential structure to multi family residential structure.* No exemption may be used to convert a single family residential structure to a multi family residential structure.~~

~~(Ord. No. 98-15, 5-26-98; Ord. No. 99-22, 9-14-99)~~

~~Sec. 34-178. Partial exemption from taxation for certain rehabilitated/renovated commercial real estate located in enterprise zone and B-2 (limited commercial district).~~

~~(a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying commercial property located in the enterprise zone or in any area zoned B-2 (limited commercial district) which is rehabilitated/renovated in accordance with the criteria set out in article X, section 6, paragraph (h) of the Constitution of Virginia and section 58.1-3221 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.~~

~~(b) *When deemed rehabilitated/renovated.* For the purposes of this section, commercial real estate in the enterprise zone or in any area zoned B-2 (limited commercial district) shall be deemed substantially rehabilitated/renovated when such a structure on the real estate, which is no less than twenty five (25) years old, has been so improved as to increase the base value of the structure by no less than forty (40) percent, but without increasing the total square footage of such structure by more than one hundred (100) percent.~~

~~(c) *Maximum amount of exemption.* The maximum amount of partial exemption provided for in this section shall be five hundred thousand dollars (\$500,000.00) of value for commercial structures.~~

~~(Ord. No. 98-15, 5-26-98; Ord. No. 99-22, 9-14-99)~~

~~Sec. 34-179. Procedures for qualifying; general provisions.~~

~~(a) *Procedures.* As a requisite for qualifying for partial tax exemption for rehabilitation/renovation, the owner of such structure shall simultaneously with making application for a building permit to rehabilitate/renovate such structure, file with the assessor, an application to qualify such structure as a rehabilitated/renovated structure. Upon receipt of an application for tax exemption, the assessor shall determine the value of the structure prior to commencement of rehabilitation/renovation. The higher of such value, and the then current assessed value for the property on the city's land books, shall serve as the base value for determining whether the rehabilitation/renovation increases the assessed value of such structure by the minimum amount as provided in this article for the type of structure which is the subject of the application. The application to qualify for tax exemption shall be effective until December 31 of the second calendar year following the year in which application is submitted. If by such expiration date, rehabilitation or renovation has not progressed to such a point that the assessed value of the structure is at least said minimum percentage greater than the base value of such structure, the approved application becomes null and void and no exemption shall be allowed. A new application to qualify for tax exemption may be filed, accompanied by a payment of an additional fee and the establishment of a new base value. The initial application to qualify for the rehabilitated/renovated structure tax exemption and any subsequent application must be accompanied by payment of a nonrefundable fee in the sum of fifty dollars (\$50.00), which fee shall be applied to offset the cost of processing such application, making required assessments, and making inspections to determine the progress of the work. During the period between the receipt of the application and the time at which the assessor shall~~

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~~ascertain that the structure has increased in value by at least the minimum percentage, the assessor shall, prior to December 31, make annual inspections of progress of the rehabilitation/renovation undertaken and the owner of the property shall be subject to taxation upon the full value of the improvements to the property. An owner may, at any time prior to November 1 of any calendar year in which rehabilitation/renovation of a structure is complete, submit a written request to the assessor to inspect the structure to determine if it then qualifies for the rehabilitated/renovated property exemption. When it is determined that at least the minimum percentage increase in assessed value (base value is exceeded by the applicable percentage or more) has occurred within the qualifying period, the tax exemption shall become effective beginning on January 1 of the next calendar year.~~

~~(b) *Credit.* The owner of property qualifying for partial exemption of real estate taxes because of rehabilitation or renovation of a structure shall be issued a bill annually in the amount of the actual taxes based on assessed value reduced by the rehabilitated/renovated exemption credit allowed. The exemption credit shall be the difference in taxes computed upon the base value and the initial rehabilitated assessed value of the property for each year of a ten-year period of exemption from real estate taxes. An increase in assessment occurring after the first year of such rehabilitation/renovation exemption (i.e., credit) shall not qualify for an increase in such exemption. No portion of any credit (partial exemption) shall be allowed in any year for any structure when such portion of a credit would reduce the tax below what it would be for the base value of the structure. No portion of any unused or unavailable credit may be used in any subsequent year.~~

~~(c) *Exemption runs with land.* Exemption from taxation of real property qualifying for the rehabilitation/renovation exemption shall run with the land and the owner of such property during each of the ten (10) years of exemption shall be entitled to receive partial exemption from taxation.~~

~~(d) *Improvements on vacant land or total replacement not qualified.* No improvements made upon vacant land nor total replacement of structures shall be eligible for partial exemption from real estate taxation. New detached structures shall not qualify for exemption.~~

~~(e) *Methods of determining base value.* In determining the base value of a structure and if the rehabilitation/renovation results in the necessary minimum increase over such base value, the assessor shall employ usual and customary methods of assessing real estate.~~

~~(f) No property which is already subject to any tax abatement shall be eligible for further abatement under this article.~~

~~(g) No property rehabilitated or renovated utilizing any public grant funds shall be eligible for abatement under this article.~~

~~(h) Only property listed as a permissible use, as of the application date, in the zoning ordinance in the district it occupies shall be eligible for abatement under this article.~~

~~(i) Unless extended by city council, to qualify for abatement under this article, application must be filed on or before December 31, 2003.~~

~~(Ord. No. 98-15, 5-26-98; Ord. No. 99-22, 9-14-99)~~

Sec. 34-180. Real property tax payment prerequisite to exemption.

~~In order to qualify for any partial exemption under this article, neither the real property which is the subject of the exemption application, nor the owner of said property, may be delinquent in any then due real property tax payments.~~

~~(Ord. No. 98-15, 5-26-98; Ord. No. 99-22, 9-14-99)~~

Sec. 34-181. Failure to pay nonexempt real estate taxes; penalty on exempt taxes; forfeiture of exemption.

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~~Whenever the owner of real property which has qualified for partial exemption from real estate taxation under this article shall fail to timely pay the nonexempted amount of real estate taxes on the property of any tax year, the partial exemption from real property taxation shall be forfeited for the remainder of the ten (10) year exemption period and late penalty shall be added for that tax year of ten (10) percent of the real estate taxes which were claimed for exemption. However, if the failure to pay the real estate tax was not in any way the fault of the taxpayer, the treasurer may waive any penalty and interest and the assessor may reinstate any tax credit.~~

~~The partial exemption from real property taxation provided for in this article shall also be forfeited if a single-family residential structure afforded a partial exemption is used for, or converted into, a multi-family residential structure.~~

~~(Ord. No. 98-15, 5-26-98; Ord. No. 99-22, 9-14-99)~~

~~Sec. 34-182. Assessor; rehabilitated/renovated structures; special coding in computer master file; application forms; rules and regulations.~~

~~(a) Nothing in this article shall be construed as to permit the assessor to list upon the land book any reduced value due to the exemption provided for.~~

~~(b) When the tax exemption becomes effective, the property shall be so coded and identified by the assessor in the computer master file for a period of ten (10) years. The bill previously referred to in the "credit" section of this article will be prepared based on this Code as will all other necessary administrative procedures, reports and analysis.~~

~~(c) The assessor shall cause to be prepared and shall have for distribution in the assessor's office and in the office of the code official, forms for use by property owners who propose to rehabilitate/renovate residential or qualifying commercial structures. Application forms shall be completed in duplicate and shall be delivered by the owner to the assessor at the same time that the owner applies for a building permit to undertake such rehabilitation/renovation, at which time the base value will be determined.~~

~~(d) The assessor may prescribe such rules and regulations as deemed requisite for processing applications for exemption for rehabilitated/renovated property and exempting same and a copy of any such rules and regulations shall be available in the office of the assessor and the code official, as well as in the office of the city clerk.~~

~~(Ord. No. 98-15, 5-26-98; Ord. No. 99-22, 9-14-99)~~

BY ENACTING:

ARTICLE XI.

TAX ABATEMENT FOR REHABILITATED/RENOVATED OR REPLACEMENT STRUCTURES

Sec. 34-176. Partial exemption from real estate taxation for certain rehabilitated/renovated single-family residential structures.

(a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying single-family residential property rehabilitated/renovated in accordance with the criteria set out in Article X, Section 6, Paragraph (h) of the Constitution of Virginia and Section 58.1-3220 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.

(b) *When deemed rehabilitated/renovated.* For the purposes of this section, single-family residential real estate shall be deemed to be substantially rehabilitated/renovated when such a structure on the real estate, which is no less than twenty-five (25) years old, has been so improved as to increase the base value of the structure by no less than twenty-five (25) percent, but without

increasing the total square footage of such structure by more than fifty (50) percent.

- (c) *Maximum amount of exemption.* The maximum amount of the partial exemption provided for in this section shall be one hundred thousand dollars (\$100,000.00) of value per rehabilitated/renovated single-family residential property.
- (d) *Length of exemption.* Exemption from taxation of real property qualifying for the residential rehabilitation, renovation or replacement exemption shall run with the land and for the benefit of any owner of such property during each of the five (5) years of exemption. The owner of the property shall be entitled to receive an exemption of one hundred percent (100%) of the increase in the assessed value of the real property as a result of the rehabilitation, renovation, or replacement, as determined by the real estate assessor, during the first year after completion. In subsequent years, the owner shall be entitled to receive partial exemption from taxation on a declining percentage factor as set out in the table below.

City-wide Residential	
Year	Percent Value Exempt
1	100%
2	80%
3	60%
4	40%
5	20%

- (e) When the construction of a new structure is achieved through demolition and replacement of an existing structure, this exemption shall not apply when any structure demolished is a registered Virginia landmark, is determined by the State to be eligible for historic designation or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

Sec. 34-177. Partial exemption from real estate taxation for certain rehabilitated/renovated multi-family residential structures.

- (a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying multi-family residential property rehabilitated/renovated in accordance with the criteria set out in Article X, Section 6, Paragraph (h) of the Constitution of Virginia and Section 58.1-3220 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.
- (b) *When deemed rehabilitated/renovated.* For the purposes of this section, multi-family residential real estate shall be deemed substantially rehabilitated/renovated when such a structure on the real estate, which is no less than twenty-five (25) years old, has been improved as to increase the base value of the structure by no less than forty (40) percent, but without increasing the square footage of such structure of more than fifty (50) percent.
- (c) *Maximum amount of exemption.* The maximum amount of the partial exemption provided for in this section shall be five hundred thousand dollars (\$500,000.00) of value per rehabilitated/renovated multi-family residential property.

- (d) *Prohibition against converting single-family residential structure to multi-family residential structure.* No exemption may be used to convert a single-family residential structure to a multi-family residential structure.
- (e) *Length of exemption.* Exemption from taxation of real property qualifying for the residential rehabilitation, renovation or replacement exemption shall run with the land and for the benefit of any owner of such property during each of the five (5) years of exemption. The owner of the property shall be entitled to receive an exemption of one hundred percent (100%) of the increase in the assessed value of the real property as a result of the rehabilitation, renovation, or replacement, as determined by the real estate assessor, during the first year after completion. In subsequent years, the owner shall be entitled to receive partial exemption from taxation on a declining percentage factor as set out in the table below.

Multi-family	
Year	Percent Value Exempt
1	100%
2	80%
3	60%
4	40%
5	20%

- (f) When the construction of a new structure is achieved through demolition and replacement of an existing structure, this exemption shall not apply when any structure demolished is a registered Virginia landmark, is determined by the State to be eligible for historic designation or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

Sec. 34-177.1. Partial exemption from taxation for certain rehabilitated, renovated or replacement multi-family residential structures located in the Enterprise Zone.

- (a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying residential property or the adaptive reuse of a property for residential use located in the Enterprise Zone which is rehabilitated, renovated or replaced in accordance with the criteria set out in Article X, Section 6, Paragraph (h) of the Constitution of Virginia and Section 58.1-3220 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.
- (b) *When deemed rehabilitated/renovated.* For the purposes of this section, residential real estate in the Enterprise Zone shall be deemed substantially rehabilitated, renovated or replaced when such a structure on the real estate, which is no less than twenty-five (25) years old, has been so improved as to increase the base value of the structure by no less than fifty (50) percent, but without increasing the total square footage of such structure by more than fifty (50) percent. The replacement of a structure must increase the base value of the structure by no less than one hundred percent (100%) in order to be eligible for the exemption.

- (c) *Maximum amount of exemption.* The maximum amount of partial exemption provided for in this section shall be one million dollars (\$1,000,000.00) of value for residential real estate structures within the Enterprise Zone.
- (d) *Length of exemption.* Exemption from taxation of real property qualifying for the residential rehabilitation, renovation or replacement exemption shall run with the land and for the benefit of any owner of such property during each of the ten (10) years of exemption. The owner of the property shall be entitled to receive an exemption of one hundred percent (100%) of the increase in the assessed value of the real property as a result of the rehabilitation, renovation, or replacement, as determined by the real estate assessor, during the first year after completion. In subsequent years, the owner shall be entitled to receive partial exemption from taxation on a declining percentage factor as set out in the table below.

Multi-family in the Enterprise Zone	
Year	Percent Value Exempt
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

- (e) When the construction of a new structure is achieved through demolition and replacement of an existing structure, this exemption shall not apply when any structure demolished is a registered Virginia landmark, is determined by the State to be eligible for historic designation or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

Sec. 34-178. Partial exemption from taxation for certain rehabilitated, renovated or replacement commercial/mixed use structures located in the Enterprise Zone or Revitalization Zone.

- (a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying commercial/mixed use property located in the Enterprise/Revitalization Zone which is rehabilitated, renovated or replaced in accordance with the criteria set out in Article X, Section 6, Paragraph (h) of the Constitution of Virginia and Section 58.1-3221 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.
- (b) *When deemed rehabilitated/renovated.* For the purposes of this section, commercial/mixed use real estate in the Enterprise/Revitalization Zone shall be deemed substantially rehabilitated, renovated or replaced when such a structure on the real estate, which is no less than twenty-five (25) years old, has been so

improved as to increase the base value of the structure by no less than fifty (50) percent, but without increasing the total square footage of such structure by more than fifty percent (50%). The replacement of a structure must increase the base value of the structure by no less than one hundred percent (100%) in order to be eligible for the exemption.

- (c) *Maximum amount of exemption.* The maximum amount of partial exemption provided for in this section shall be one million dollars (\$1,000,000.00) of value for commercial/mixed use structures within the Enterprise/Revitalization Zone.
- (d) *Length of exemption.* Exemption from taxation of real property qualifying for the commercial or mixed use rehabilitation, renovation or replacement exemption shall run with the land and for the benefit of any owner of such property during each of the ten (10) years of exemption. The owner of the property shall be entitled to receive an exemption of one hundred percent (100%) of the increase in the assessed value of the real property as a result of the rehabilitation, renovation, or replacement, as determined by the real estate assessor, during the first year after completion. In subsequent years, the owner shall be entitled to receive partial exemption from taxation on a declining percentage factor as set out in the table below.

Commercial/Mixed Use in Enterprise/Revitalization Zone	
Year	Percent Value Exempt
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

- (e) When the construction of a new structure is achieved through demolition and replacement of an existing structure, this exemption shall not apply when any structure demolished is a registered Virginia landmark, is determined by the State to be eligible for historic designation or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

Sec. 34-178.1. Partial exemption from taxation for certain rehabilitation or renovation of the façade of commercial/mixed use structures located in the Downtown Façade Enhancement Area.

- (a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying commercial/mixed use property located in the Downtown Façade Enhancement Area, which is rehabilitated or renovated in accordance with the criteria set out in Article X, Section 6, Paragraph (h) of the Constitution of Virginia and Section 58.1-3221 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.

- (b) *When deemed rehabilitated/renovated.* For the purposes of this section, commercial/mixed use real estate in the Downtown Façade Enhancement Area shall be deemed substantially rehabilitated or renovated when such a structure on the real estate, which is no less than twenty-five (25) years old, and has been approved to participate in the City's Downtown Façade Improvement Program.
- (c) *Maximum amount of exemption.* The maximum amount of partial exemption provided for in this section shall be fifty thousand dollars (\$50,000.00).
- (d) *Length of exemption.* Exemption from taxation of real property qualifying for the commercial or mixed use rehabilitation or renovation exemption shall run with the land and for the benefit of any owner of such property during each of the ten (10) years of exemption. The owner of the property shall be entitled to receive an exemption of one hundred percent (100%) of the increase in the assessed value of the real property as a result of the rehabilitation or renovation of the building facade, as determined by the real estate assessor, during the first year after completion. In subsequent years, the owner shall be entitled to receive partial exemption from taxation on a declining percentage factor as set out in the table below.

Downtown Façade Enhancement Area	
Year	Percent Value Exempt
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%

- (e) When the construction of a new structure is achieved through demolition and replacement of an existing structure, this exemption shall not apply when any structure demolished is a registered Virginia landmark, is determined by the State to be eligible for historic designation or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

Sec. 34-179. Partial exemption from taxation for certain rehabilitated, renovated or replacement hotel or motel structures located in the Enterprise Zone.

- (a) *Exemption authorized.* Partial exemption from real estate taxes is provided for qualifying hotel or motel property located within a designated enterprise zone which is rehabilitated, renovated or replaced in accordance with the criteria set out in Article X, Section 6, Paragraph (h) of the Constitution of Virginia and Section 58.1-3221 of the Code of Virginia of 1950, as amended, if eligible according to the terms of the Constitution, the Code of Virginia and the provisions of this article.
- (b) *When deemed rehabilitated/renovated or replacement.* For the purposes of this section, hotel or motel real estate located in a designated enterprise zone shall be

deemed substantially rehabilitated, renovated or replaced when such structure on the real estate, which is no less than twenty-five (25) years old, has been so improved as to increase the base value of the real estate by no less than five million dollars (\$5,000,000.00).

- (c) *Maximum amount of exemption.* The maximum amount of partial exemption provided for in this section shall be five million dollars (\$5,000,000.00) of value for hotel or motel structures within the enterprise zone.
- (d) *Length of exemption.* Exemption from taxation of real property qualifying for the hotel or motel rehabilitation, renovation or replacement exemption shall run with the land and for the benefit of any owner of such property during each of the five (5) years of exemption. The owner of the property shall be entitled to receive an exemption of one hundred percent (100%) of the increase in the assessed value of the real property as a result of the rehabilitation, renovation, or replacement, as determined by the real estate assessor, during the first year after completion. In subsequent years, the owner shall be entitled to receive partial exemption from taxation on a declining percentage factor as set out in the table below.

Hotel/Motel in Enterprise Zone	
Year	Percent Value Exempt
1	100%
2	80%
3	60%
4	40%
5	20%

- (e) When the construction of a new structure is achieved through demolition and replacement of an existing structure, this exemption shall not apply when any structure demolished is a registered Virginia landmark, is determined by the State to be eligible for historic designation or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

Sec. 34-180. Procedures for qualifying; general provisions.

- (a) *Procedures.* As a requisite for qualifying for partial tax exemption for the rehabilitation, renovation, or replacement of a structure, the owner of the real property upon which the structure is located shall simultaneously with making application for a building permit to construct, rehabilitate, or renovate such structure, file with the real estate assessor, an application to qualify such structure for partial exemption from taxation. Upon receipt of an application for tax exemption, the real estate assessor shall determine the then assessed value of the structure prior to commencement of new construction, rehabilitation or, renovation, which shall serve as the base value for determining whether the new construction or the rehabilitation/renovation increases the assessed value of such structure by the minimum amount as provided in this article. The application to qualify for tax exemption shall be effective until December 31 of the second calendar year following the year in which the application is submitted. If by such expiration date, the new construction, rehabilitation or renovation has not

progressed to such a point that the assessed value of the real estate is at least said minimum percentage greater than the base value of such structure, the approved application becomes null and void and no exemption shall be allowed. A new application to qualify for tax exemption may be filed, accompanied by a payment of an additional fee and the establishment of a new base value. The initial application to qualify for the rehabilitated, renovated or replacement real estate structure tax exemption, and any subsequent application, must be accompanied by payment of a nonrefundable fee in the sum of one hundred twenty-five (\$125.00), which fee shall be applied to offset the cost of processing such application, making required assessments, and making inspections to determine the progress of the work. During the period between the receipt of the application and the time at which the assessor shall ascertain that the real estate has increased in value by at least the minimum percentage, the real estate assessor shall, prior to December 31, make annual inspections of the progress of the rehabilitation, renovation or replacement undertaken, and the owner of the property shall be subject to taxation upon the full value of the improvements to the property. An owner may, at any time prior to November 1 of any calendar year in which rehabilitation, renovation or replacement of a structure is complete, submit a written request to the assessor to inspect the structure to determine if it then qualifies for the rehabilitated, renovated, or replacement property exemption. When it is determined that at least the minimum percentage increase in assessed value (base value is exceeded by the applicable percentage or more) has occurred within the qualifying period, the tax exemption shall become effective beginning on January 1 of the next calendar year.

- (b) *Credit.* The owner of property qualifying for partial exemption of real estate taxes because of rehabilitation, renovation or replacement of a structure shall be issued a bill annually in the amount of the actual taxes based on assessed value reduced by the rehabilitated, renovated or replacement exemption credit allowed. The exemption credit shall be the difference in taxes computed upon the base value, and the taxes that are computed on the initial value of the rehabilitated, renovated, or replacement structure once it qualifies for the exemption. An increase in assessment occurring after the first year of such rehabilitated, renovated or replacement structure shall not qualify for an increase in such exemption. No portion of any credit (partial exemption) shall be allowed in any year for any real estate when such portion of a credit would reduce the tax below what it would be for the base value of the real estate. No portion of any unused or unavailable credit may be used in any subsequent year.
- (c) *Exemption runs with land.* Exemption from taxation of real property qualifying for the rehabilitation, renovation or replacement exemption shall run with the land and for the benefit of any owner of such property during each of the years of exemption as defined in the appropriate table.
- (d) *Improvements on vacant land.* No improvements made upon vacant land defined in the Zoning Ordinance for single or multi-family purpose use shall be eligible for partial exemption from real estate taxation.
- (e) New detached real estate shall not qualify for exemption.
- (f) *Methods of determining base value.* In determining the base value of a structure and if the rehabilitation, renovation, or replacement results in the necessary minimum increase over such base value, the assessor shall employ usual and customary methods of assessing real estate.

- (g) No property which is already subject to any tax abatement shall be eligible for further abatement under this article.
- (h) No property rehabilitated or renovated utilizing any public grant funds shall be eligible for abatement under this article.
- (i) Only property listed as a permissible use, as of the application date, in the zoning ordinance in the district it occupies shall be eligible for abatement under this article.

Sec. 34-181. Real property tax payment prerequisite to exemption.

In order to qualify for any partial exemption under this article, neither the real property which is the subject of the exemption application, nor the owner of said property, may be delinquent in any then due real property tax payments.

Sec. 34-182. Failure to pay nonexempt real estate taxes; penalty on exempt taxes; forfeiture of exemption.

Whenever the owner of real property which has qualified for partial exemption from real estate taxation under this article shall fail to timely pay the non-exempted amount of real estate taxes on the property of any tax year, the partial exemption from real property taxation shall be forfeited for the remainder of the exemption period and late penalty shall be added for that tax year of ten (10) percent of the real estate taxes which were claimed for exemption. However, if the failure to pay the real estate tax was not in any way the fault of the taxpayer, the treasurer may waive any penalty and interest and the assessor may reinstate any tax credit.

The partial exemption from real property taxation provided for in this article shall also be forfeited if a single-family residential structure afforded a partial exemption is used for, or converted into, a multi-family residential structure.

Sec. 34-183. Assessor; rehabilitated, renovated or replacement real estate; special coding in computer master file; application forms; rules and regulations.

- (a) Nothing in this article shall be construed as to permit the assessor to list upon the land book any reduced value due to the exemption provided.
- (b) When the tax exemption becomes effective, the property shall be so coded and identified by the assessor in the computer master file for the term of the exemption period. The bill previously referred to in the "credit" section of this article will be prepared based on this Code as will all other necessary administrative procedures, reports and analysis.
- (c) The real estate assessor shall cause to be prepared and shall have for distribution in the real estate assessor's office, in the office of the building code official, and in the department of development, forms for use by property owners who propose to construct/rehabilitate/renovate or replace residential or qualifying commercial structures. Application forms shall be completed in duplicate and shall be delivered by the owner to the real estate assessor at the same time that the owner applies for a building permit to undertake such rehabilitation, renovation or replacement real estate improvement, at which time the base value of the real property will be determined.
- (d) The real estate assessor may prescribe such rules and regulations as deemed requisite for processing applications for exemption for rehabilitated, renovated or replacement property and exempting same and a copy of any such rules and

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regulations shall be available in the office of the real estate assessor, the building code official, and the department of development, as well as in the office of the city clerk.

Sec. 34-184. Effective date for tax abatement program new/rehabilitated/renovated or replacement real estate.

This ordinance shall be effective January 31, 2010 and shall be applied to all qualifying applications for the tax year 2010 and all subsequent tax years. Any construction and/or renovation project which was begun in 2009 and which will be completed in 2010 will be eligible for this tax abatement program as if the project had been started under the program, so long as the real estate assessor is able to make an accurate determination of the assessed value of the structure prior to commencement of the new construction, rehabilitation or, renovation, which can serve as the base value pursuant to §34-180. Any person or entity desiring to include a project begun in 2009 must file the application described in §34-180 no later than February 15, 2010.

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ORDINANCE NO. 2010-05

~~An ordinance to approve and authorize adjustments to permit fees for building, electrical, plumbing, and mechanical permits to conform to permit fees being charged by surrounding jurisdictions.~~

~~**WHEREAS**, in order for the City's permit fees to be comparable with surrounding jurisdictions the City of Hopewell Bureau of Fire Division of Code Enforcement recommends adjusting permit fees for building, electrical, plumbing, and mechanical permits; and~~

~~**WHEREAS**, in order to conform to permit fees charged by surrounding jurisdictions, the City of Hopewell Bureau of Fire Division of Code Enforcement recommends charging by square footage of the building for residential structures rather than by cost of labor and materials; and~~

~~**WHEREAS**, to better serve the public and to conform to surrounding jurisdictions, the City of Hopewell Bureau of Fire Division of Code Enforcement recommends the following permit fees: Building Permit Base Fee: \$25.00 (RESIDENTIAL) plus \$0.22 per square foot, plus current State Surcharge; \$75.00 (COMMERCIAL) plus 1% of labor and materials, plus current State Surcharge; Electrical Permit Base Fee: \$25.00 (RESIDENTIAL) plus \$0.04 per square foot, plus current State Surcharge; \$75.00 (COMMERCIAL) plus 1% of labor and materials, plus current State Surcharge; Plumbing Permit Base Fee: \$25.00 (RESIDENTIAL) plus \$0.04 per square foot, plus current State Surcharge; \$75.00 (COMMERCIAL) plus 1% of labor and materials, plus current State Surcharge; and Mechanical Permit Base Fee: \$25.00 (RESIDENTIAL) plus \$0.04 per square foot, plus current State Surcharge; \$75.00 (COMMERCIAL) plus 1% of labor and materials, plus current State Surcharge.~~

~~**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL** that the above permit fees for building, electrical, plumbing, and mechanical permits be approved and authorized.~~

Mayor Pelham presented the Employee of the Quarter Award to Brenna Preston of the Hopewell Regional Wastewater Treatment Facility.

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ORDINANCE No. 2010-06

An Ordinance to amend and reenacting Article XXII-G of the Zoning Ordinance of the City of Hopewell, related to Fees for Rezoning, Conditional and Special Use Permits, Site Plan Review, Variances, and Appeals.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that Article XXII-G of the Zoning Ordinance of the City of Hopewell, Virginia, as amended, be further amended and reenacted as follows:

ARTICLE XXII. ADMINISTRATION AND INTERPRETATION

G. The following fees, which include the costs of hearings, advertisements and notices when required, shall accompany the filing of the application and be made payable to the City Treasurer:

Rezoning	\$300.00
Zoning Ordinance Amendment	\$300.00
Conditional Use Permit	\$300.00
Site Plan Review	\$250.00
Special Use Permit	\$200.00
Variance/Special Exception	\$200.00
<u>Appeal of Development Standards</u>	<u>\$200.00</u>

This ordinance shall become effective upon the date of its adoption by the City Council. In all other respects said zoning ordinance shall remain unchanged and be in full force and effect.

PROCLAMATION

WHEREAS, the **American Red Cross** shelters, feeds and counsels victims of disasters; provides nearly half of the nation's blood supply; teaches lifesaving skills; and supports military members and their families. The **Red Cross** is a charitable organization - not a government agency - and depends on volunteers and the generosity of the American public to perform its humanitarian mission; and

WHEREAS, The **Hopewell/Prince George Chapter of the American Red Cross** is located at 110 North Main Street in Hopewell; and the City of Hopewell has declared March as official **Red Cross Month**; and

WHEREAS, The Hopewell/Prince George Chapter of the American Red Cross offers assistance at all local house fires and aids and comforts families displaced by fire with temporary shelter; the Hopewell Prince George Red Cross responded to 8 fires this winter and first responders are supported on the scene with food by the Red Cross; and

WHEREAS, Community Blood Drives are offered regularly at Chapter Headquarters; the next **Hopewell/Prince George Community Blood Drive** is scheduled for April 27, 2010; and

WHEREAS, many Health and Safety classes are provided within the community, to include Adult CPR/AED (cardio pulmonary resuscitation and automated external defibrillator); Child/ Infant CPR; First Aid; these classes are also offered online at www.redcrosshpg.org; CPR/AED for the Professional Rescuer; Pet First Aid and Babysitter's Training are offered at the Chapter headquarters; and

WHEREAS, chapter activities include the annual **Red Cross on the Rivah Poker Run** at Appomattox Small Boat Harbor on June 12, 2010 and the signature event the **5th Annual Red Cross Adopt-A-Soldier golf tournament** at the Cardinal Golf Course on Ft. Lee on September 9, 2010.

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NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF HOPEWELL that Mayor Brenda S. Pelham recognizes the contributions and efforts of

**The Hopewell/Prince George Chapter of the
American Red Cross**

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Hopewell in the Commonwealth of Virginia this 9th day of March 2010.

/s/ Brenda S. Pelham, Mayor
City of Hopewell, Virginia

COMMUNICATIONS FROM CITIZENS

Yolanda Stokes, 14-A South 6th Avenue, Hopewell, addressed Council with concerns regarding residents of public housing in Hopewell. She has brought this to Council's attention in the past, before she lived in public housing, but now she is living in Piper Square. The immediate issue is an individual who was terminated from public housing. Commissioners of the HRHA did not have these concerns at heart. After attempting to reach the HRHA, the individual received a copy of a revised policy.

There being no other speakers, Communications from Citizens was closed.

PROCLAMATION – CLAIBORNE DICKIE GHOLSON

Mayor Pelham apologized to three gentlemen in the audience who came on behalf the Proclamation of Claiborne Dickie Gholson Condolence Proclamation. The Gholson family postponed the presentation until the April 13, 2010 Council meeting. The Mayor apologized for not notifying the gentlemen of the change.

PRESENTATION – MS. PAT KNIGHT, U. S. CENSUS BUREAU

Mrs. Pat Knight, U. S. Census Bureau made a presentation to Council. The purpose was to promote the 2010 Census and create partnerships throughout the City of Hopewell to increase participation and achieve an accurate and complete county of all people living in Hopewell.

The U. S. Constitution (Article 1, Section 2) mandates a headcount every 10 years. The first census was conducted in 1790 and has been carried out every 10 years since then. Everyone should participate in the Census to apportion the 435 seats in the U. S. House of Representatives; to appropriate \$400+ billion annually in federal funds to states and communities; and, for redistricting of state legislatures, Counties' Boards of Supervisors, City Councils, and voting districts. Since 2000: Citizens are encouraged to use only the short form for the 2010 Census. There are ten easy questions and it takes only 10 minutes to complete. The long form is used throughout the year. It is referred to as the American Community Survey.

The 2010 Census is Safe, Easy and Important! Title 13, U. S. Code safeguards an individual's privacy – Information used only for statistical purposes. Census Bureau employees cannot share respondent information (background checks and lifetime sworn oath). Disclosure is a felony – penalty for wrongful disclosure is up to five years imprisonment and/or a fine of up to \$250,000.

Everyone is reached through: Communications Campaign – Paid advertising and local promotional efforts; Complete Count Committees – State, local, and community sponsored initiatives to promote the Census; and Partnership Program – Partner with state, local and tribal governments, community-based organizations, faith-based groups, schools, media, businesses, and other grassroots efforts.

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The Complete Count Committee (CCC) is a diverse team of community leaders charged to develop/implement a locally-based outreach and awareness campaign for 2010 census. The CCC's primary focus is to increase awareness and motivate residents to respond – to ensure that everyone is counted.

Mayor Pelham presented Ms. Knight with a Proclamation from the City of Hopewell supporting the 2010 Census.

PROCLAMATION

WHEREAS, an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day-care centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs; and

WHEREAS, more than \$300 billion per year in federal and state funding is allocated to states and communities based on **census** data; and

WHEREAS, **census** data ensure fair Congressional representation by determining how many seats each state will have in the U. S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts; and

WHEREAS, the **2010 Census** creates jobs that stimulate economic growth and increase employment opportunities in our community; and

WHEREAS, the information collected by the **census** is protected by law and remains confidential for 72 years.

NOW, THEREFORE, WE PROCLAIM THAT THE HOPEWELL CITY COUNCIL is committed to partnering with the **U. S. Census Bureau** to help ensure a full and accurate count in 2010.

As a **2010 Census** partner, we will:

1. Support the goals and ideals for the **2010 Census** and will disseminate **2010 Census** information to encourage those in our community to participate.
2. Encourage people in Hopewell to place an emphasis on the **2010 Census** and participate in events and initiatives that will raise overall awareness of the **2010 Census** and ensure a full and accurate **census**.
3. Support **census** takers as they help our community complete an accurate count.
4. Create or seek opportunities to collaborate with other like-minded groups in our community, such as Complete Count Committees, to utilize high-profile, trusted voices to advocate on behalf of the **2010 Census**.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Hopewell in the Commonwealth of Virginia this 9th day of March 2009.

/s/ Brenda S. Pelham, Mayor
City of Hopewell, Virginia

PRESENTATION – SENIOR CITIZENS ADVISORY COMMISSION

Herndon Smith, Vice Chair of the Senior Citizens Advisory Commission, introduced those commissioners who were present: Shirley Brannan, Chair; Libbie Dragoo; Paul Karnes; Myrtle Casey; Mildred Lindsey; Brenda Bland; Tommy Wells; and Verna Hock, Recreation Staff Coordinator. The Commission provided a copy of their PowerPoint presentation (filed in the City Clerk's Office).

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The Senior Citizens Advisory Commission's Mission Statement is: *"The Senior Advisory Commission was formed to help solve the problems facing seniors and to advise the Department of recreation and Parks on possible programs, trips, activities, and more."*

There were Senior activities every month during 2009. Mr. Smith also mentioned the Respite Care Program for disabled adults over age 35 in Hopewell, Prince George, and the surrounding areas. Daily transportation is provided within the Hopewell area.

PRESENTATION – RECREATION COMMISSION

Chairman Bobby Pershing introduced Jake Butterworth, the newest student member of the Recreation Commission. (Copy of the presentation is filed in the City Clerk's Office.) Other members include: James McMillen, Vice Chair; Chris Jamison; John Loshkreff; Marion Hebert; Student Representatives: Katherine Okum and Jake Butterworth.

Their Mission Statement is: *"The Hopewell Recreation & Parks Department mission is believing in enhancing your opportunity for a variety of recreational activities. We promote public well being in a safe, friendly, healthy environment through dedicated service. We look to: Foster human development; Promote health and wellness; Increase cultural awareness; Facilitate community problem solving; protect natural resources; strengthen safety and security; and Strengthen community image and sense of place; Support economic development; provide recreational experiences."*

Mr. Butterworth outlined the Recreation Commission's activities for 2009 (filed in the City Clerk's Office). The presentation concluded at 8:25 PM.

REGULAR BUSINESS – HRWTF, MARK HALEY – SEWER RATE – PRINCE GEORGE COUNTY

A Cost of Service Study for the Sanitary Sewer System of the City of Hopewell, Virginia was completed by Trimble & Associates in March 2009. Based on the Cost of Service Study and to meet the needs for Phase I of the Nitrogen reduction Project being initiated by the Hopewell Regional Wastewater Treatment Facility as propounded by the Virginia Department of Environmental Quality (DEQ), it has become necessary for a rate adjustment to the current sewer rates being charged to Prince George County. The fiscal impact is an increase in revenue from sewer rates to offset funding of the current budget and new debt service as a result of significant increases in flow and additional mandatory environmental requirements.

Motion was made by Councilor Stokes, and seconded by Councilor Emerson, to adopt the resolution authorizing and approving a sewer rate adjustment for Prince George County, Virginia. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

RESOLUTION

A RESOLUTION AUTHORIZING AND APPROVING A SEWER RATE ADJUSTMENT FOR PRINCE GEORGE COUNTY, VIRGINIA

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WHEREAS, Prince George County connects to the Hopewell Regional Wastewater Treatment Facility's sanitary sewer system for sewer services to its county; and

WHEREAS, a Cost of Service study for the Sanitary Sewer System of the city of Hopewell, Virginia was completed by Trimble & Associates in March 2009; and

WHEREAS, based on the Cost of Service Study and to meet the needs for Phase I of the Nitrogen Reduction Project being initiated by the Hopewell Regional Wastewater Treatment Facility as propounded by the Virginia Department of Environmental Quality, it has become necessary for a rate adjustment to the current sewer rates being charged to Prince George County.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOPEWELL, VIRGINIA that the sewer rate for Prince George County effective July 1, 2009 shall be \$4.14 per 100 cubic feet.

REGULAR BUSINESS – 2010-2011 CHALLENGE GRANT VIRGINIA COMMISSION FOR THE ARTS – HISTORIC HOPEWELL FOUNDATION

Once again, the Historic Hopewell Foundation (HHF) is seeking a Challenge Grant from the State Commission for the Arts, for which we must apply as city dollars are used for the match. HHF has requested to maintain the grant amount of \$4,000 as the city's match. This grant will enable HHF to conduct art and art-related programs at Weston Manor; programming will be expanded also. The City will file for the grant, under the same conditions as in previous years: (1) The grant will not be accepted unless the City's FY 2010-2011 adopted budget includes the matching funds; (2) Filing the grant application in no way binds the City to budget matching funds; and (3) Should the grant request be denied or only partially funded, the City would still make available to HHF for art and art-related programs whatever local funds have been allowed in the City's FY 2010-2011 General Fund Budget.

The City of Hopewell, through the Recreation and Parks Department, has been applying for said grant annually. The fiscal impact is \$8,000 of which 50% (or \$4,000) will be reimbursed by the state through the Challenge grant. The other 50% would be from private donations through the City.

Motion was made by Councilor Harris, and seconded by Vice Mayor Cuffey, to authorize the Department of Recreation and Parks to apply for the 50/50 matching grant, with 50% coming from private donations through the City. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

(Mayor Pelham stepped out of the room and Vice Mayor Cuffey continued with the meeting. Because the Mayor was out of the room, Council agreed to wait for the John Tyler – Alcohol Safety Action Program (ASAP).)

REGULAR BUSINESS – PRELIMINARY AGENDA ITEMS FOR WORK SESSION ON MARCH 30, 2010

Dr. Daley announced that the next work session will be held on Tuesday March 30, not the 24th.

The Preliminary Agenda items for the Work Session on March 30, 2010 are:

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- 1) Downtown Zoning Update;
- 2) Street Naming Committee Report;
- 3) CDBG – Fair Housing Report;
- 4) Proposals to Beautify/Enhance Hopewell’s Tourist/Historic areas; and
- 5) Budget Update.

REGULAR BUSINESS – JOHN TYLER – ALCOHOL SAFETY ACTION PROGRAM (ASAP) PROGRAM (ASAP)

Motion was made by Councilor Walton, and seconded by Councilor Harris, to table the appointment to the John Tyler ASAP. Upon the roll call, the vote resulted:

Councilor Bailey	-	NO
Councilor Harris	-	yes
Councilor Emerson	-	NO
Councilor Stokes	-	NO
Councilor Walton	-	yes
Mayor Pelham	-	NO
Vice Mayor Cuffey	-	NO

The motion failed 5/2.

Motion was made by Councilor Stokes, and seconded by Councilor Bailey, to appoint Anthony Sylvester to the John Tyler ASAP. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	ABSTAINED (equivalent to a Yes)
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

REPORT OF THE CITY CLERK - REGULAR BUSINESS - APPOINTMENTS TO BOARDS AND COMMISSIONS

Motion was made by Councilor Harris, and seconded by Councilor Walton, to appoint to the **Downtown Design Review Committee**: Bruce Clark (Downtown Business & Property Owner), Willie Hayes (Downtown Business Owner), Donald Parr (Hopewell Downtown Partnership Economic Restructuring Committee member), Ban Rafey (Downtown business & Property Owner), and Lee Shadbolt, Principal Architect, Commonwealth Architects; Tad Henry to the **Industrial Development Authority** (to fill an unexpired term) extending through October 31, 2011; and Michael Brown to the **Neighborhood Watch Advisory Council**, Ward #4, for a term extending through October 31, 2010. Upon the roll call, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

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REPORTS OF CITY COUNCIL COMMITTEES

Councilor Walton reported on the recent VML Day. They visited the General Assembly and heard discussions on BPOL and the Machinery & Tools Tax. Delegate Ingram voted for the Machinery & Tools Tax; Delegate Morrissey was absent from that vote. Councilor Walton announced that Delegate Joe Morrissey extended an invitation for Hopewell citizens (not to exceed 30) to visit him in his office on March 10, have a light breakfast, tour the capitol, and be seated in the gallery.

REPORTS OF CITY COUNCIL MEMBERS

Councilor Walton thanked the soldiers from Ft. Lee for their assistance in Hopewell on two occasions. On February 14, for four hours, they assisted in cleaning up the grounds of Weston Manor. On February 20, 32 soldiers came to trim and prune trees, and six others assisted at the Prince George Regional Park. On Saturday, March 13, and Saturday, March 20 soldiers will be in Hopewell working with ElderHomes.

Councilor Stokes reported that Mr. Caldelas of Honeywell, received a \$1.5 million grant from the Department of Energy. The residual product could be used for bio fuel, and will contribute to a "Greener" environment.

Councilor Emerson was impressed by the presentations by the Senior Citizens Advisory Board, and the Recreation Commission. They were good presentations that told us what they are doing. Their presentations also referred to civic organizations such as the Elk Lodge, the Moose Lodge, etc. The City needs to support Hopewell's civic organizations, faith-based groups, etc. All of their efforts make Hopewell a better place to live.

Councilor Bailey enjoyed the Recreation Commission's presentation by Jake Butterworth. She referred to a water event at which Steve Thomas of FOLAR was unable to attend. Because of that there was one paddle missing from the canoe, and Jake was paddling for all he was worth with just the one paddle. Councilor Bailey also suggested emphasizing more water sports on the river for the community. She thanked Bob Kirby with the National Park Service who has relocated to Gettysburg, Pennsylvania. She enjoyed working with him and his support for Hopewell, such as the gazebo on Park Service property. Also being considered for the future is a canoe launching area on Park Service property. Finally, she referred to the Hunter House moving along with plans; it is also on Park Service property. The City wants use of that building for tourist purposes. Tourism is on the agenda for the next Work Session on March 30, 2010.

Councilor Harris reported the completion of Black History Month in February. He personally thanked Mayor Pelham and Herbert Bragg who took leadership to plan activities all over the City. He also thanked any others who may have contributed in any way. On Sunday, March 14, at 6:00 PM there will be a dinner presentation to remind ourselves of the work of the Rev. Dr. Martin Luther King, Jr. The organization offers a \$500 scholarship.

Vice Mayor Cuffey attended the Economic Impact meeting in Petersburg on Monday, March 8. Ft. Lee is considering building a 1,000-room hotel. The update is that two hotels were presented to Congress. The 800-room hotel at Ft. Bennett was approved; the 1,000-room hotel at Ft. Lee was not yet approved. We must let Congress know the impact of that hotel on the Tri-Cities area. In conclusion, Vice Mayor Cuffey announced that his son won 2nd Place in the Science Fair at Harry E. James Elementary School. He is proud of both his children.

Mayor Pelham thanked all visitors for coming to the meeting. She congratulated Sylvia Jones upon her retirement after 52 years at Friendship Baptist Church. Mayor Pelham attended the Oscar Party in Petersburg. Blair Underwood is chair of the film committee. She addressed Hopewell's Walk Against Crime which is planning a May 1 walk, from 10:00 a.m. until 2:00 p.m. She invited citizens or family members who are crime victims to contact the City Clerk in order to have the victims' names mentioned during the walk. She urged candidates campaigning for City Council seats to inform people about the 2010 Census.

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ADJOURN

At 9:03 PM **motion** was made by Councilor Emerson, and seconded by Vice Mayor Cuffey to adjourn the meeting. Upon the roll call, the vot resulted:

Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes

Brenda S. Pelham
Mayor

Ann M. Romano, City Clerk